

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Judgment Creditor,

v.

DEVON ARCHER,

Judgment Debtor,

and

MIDLAND TRUST COMPANY and MIDLAND  
IRA, INC.,

Garnishees.

No. 16 CR 371 (RA)

**PUBLIC FILING**

**ANSWER OF THE GARNISHEE**

I, Amy Ayers, the Compliance Supervisor of the Garnishee Midland Trust Company, state under penalty of perjury as follows:

GARNISHEE IS (choose one):

☐ An individual doing business in the name of \_\_\_\_\_.

☐ A partnership, ☐ LP, ☐ LLP or ☐ LLC

☒ A corporation, organized under the laws of the State of South Dakota.

I acknowledge receipt of the United States' request that Garnishee waive service of the garnishment process under Rules 4-4.1 of the Federal Rules of Civil Procedure in this proceeding. Without waiving defenses or objections to the garnishment or to the jurisdiction or venue of the court except for objections based on a defect in the service of the process, I agreed to accept service for the Garnishee by:

☐ facsimile at (\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_ and/or

☒ e-mail at [ayers@midlandtrust.com](mailto:ayers@midlandtrust.com) and/or

☐ first class mail at \_\_\_\_\_

On April 11, 2023 Garnishee was served with a Writ of Garnishment. At the time Garnishee was served with the Writ, Garnishee had in its possession or control, the following property of the judgment debtor:

**1. Financial Accounts**

**Account 1**

Type: SEP IRA  
No.: # 1703457  
Title owner(s): Midland Trust Company As  
Custodian FBO Devon Archer # 1703457  
Amount: total account value of \$324,080.67  
(\$323,687.55 in SEP IRA and \$393.12 in cash)

**Account 2**

Type: \_\_\_\_\_  
No.: \_\_\_\_\_  
Title owner(s): \_\_\_\_\_  
Amount: \$ \_\_\_\_\_

**Account 3**

Type: \_\_\_\_\_  
No.: \_\_\_\_\_  
Title owner(s): \_\_\_\_\_  
Amount: \$ \_\_\_\_\_

**Account 4**

Type: \_\_\_\_\_  
No.: \_\_\_\_\_  
Title owner(s): \_\_\_\_\_  
Amount: \$ \_\_\_\_\_

**2. Safety Deposit Box**

Box No.: \_\_\_\_\_  
Last accessed: \_\_\_\_\_  
Owners other than the judgment debtor: \_\_\_\_\_  
\_\_\_\_\_

3. Detail other personal property in the garnishee's possession, custody, or control:  
None.

4. Are there prior garnishments or other court-ordered withholdings which are presently in effect including, but not limited to child support and alimony?  
☐ Yes or ☒ No; if the answer is yes, describe below (case number, state, county):  
\_\_\_\_\_

5. Does the garnishee have custody, control or possession of any property, other than accounts, safety deposit boxes or other personal property, now owed or to be paid in the future, in which the judgment debtor has an interest? ☐ Yes or ☒ No  
If the answer is yes, describe below:  
\_\_\_\_\_

**IF GARNISHEE DENIES HOLDING PROPERTY SUBJECT TO GARNISHMENT:**

6. Check and complete the applicable line below:

☐ Garnishee has the following objections, defenses, or set-offs:

\_\_\_\_\_  
\_\_\_\_\_  
[ ] On the date the garnishee was served with the Writ, the garnishee was not indebted or under liability to the judgment debtor, and/or did not have in its possession or control any assets, income or other property in which the judgment debtor has an interest.

GARNISHEE mailed a copy of this Answer by first-class mail to:

(1) the judgment debtor, Devon Archer, at 292A Sackett Street, Brooklyn, NY 11231;

(2) the Clerk of Court, United States District Courthouse, 500 Pearl Street, New York, NY 10007, Attn: Arraignment Unit, Rm 520; AND

(3) Financial Litigation Unit, USAO, 86 Chambers Street, Third Floor, New York, NY 10007.

Pursuant to 28 U.S.C. § 1746, I verify under penalty of perjury that the foregoing is true and correct.

Executed this \_\_\_\_ day of April, 2023.

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Print Name)

Title \_\_\_\_\_

Address \_\_\_\_\_

City, State, Zip \_\_\_\_\_

Telephone and Fax Numbers \_\_\_\_\_

Email \_\_\_\_\_

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Notary Public Signature

My Commission expires: \_\_\_\_\_

(Seal)

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SOUTHERN DISTRICT OF NEW YORK

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Pursuant to 28 U.S.C. § 1746, I verify under penalty of perjury that the foregoing is true and correct.

Executed this 21 day of April, 2023.

Amy Ayers  
(Signature)

Amy Ayers  
(Print Name)

Title Compliance Manager

Address 15671 San Carlos Blvd

City, State, Zip Fort Myers FL, 33908

Telephone and Fax Numbers 239-333-4824

Email AAAYERS@Midlandtrust.com

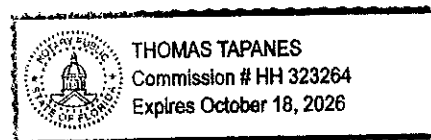
STATE OF Florida

COUNTY OF Lee

Subscribed and sworn to before me this 21<sup>st</sup> day of APRIL, 2023.

[Signature]  
Notary Public Signature

My Commission expires: 10/18/2026  
(Seal)





15671 San Carlos Blvd #101  
Fort Myers FL 33908-2788

6500 9181 \$2.0001

quadrant

FC PKG RTL

IMI

\$005.10<sup>0</sup>

04/21/2023 ZIP 33908

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US POSTAGE

USMP  
SDNY

Clerk of Court  
United States District Court  
500 Pearl Street  
New York NY 10007

